

REMARKS

Claims 1-7, 9-15, 17-21, 23-28, and 30-69 are pending in the present application. No claims have been amended or added. On March 28, 2003, Applicants filed a Preliminary Amendment, amending the claims and adding claims 52-69. The title has been amended to remove the initial "An."

Applicants are hereby amending the specification to include reference to prior filed applications. Applicants note that, per MPEP section 201.11.III(D), while a petition and surcharge may be required if a claim for priority is not made within the specified time limit, if the filing receipt issued by the Office indicates that the correct priority has been claimed, the need for such petition and surcharge will be waived. Applicants note that priority was correctly claimed in the unsigned Declaration submitted with this Application on filing, and Applicants note that the updated filing receipt issued by the Office on January 3, 2002 indicates the correct priority. Thus Applicants assert that no petition or fee is required for entry of the amendment to include priority. However, if any such fee or surcharge is required, the Office is authorized charge any such fees to deposit account No. 05-0649, and if any petition is required Applicants hereby petition to have the amendment to priority entered.

The Examiner has required restriction to one of three Species, as defined by the Examiner:

Species I, drawn to figures 1-3, utilizing a physiological (pH) sensor;

Species II, drawn to figures 1-3, utilizing an image sensor; and

Species III, drawn to figure 4.

Applicants elect to prosecute in the present application Species II, with traverse. As discussed below, claims 1-7, 9-15, 17-21, 23-28, and 30-40 and 48-69 correspond to Species II.

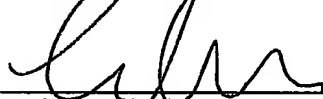
Applicants note that independent claims 1, 19, 23, 47, and 61 are generic to Species I; to Species II; and to both Species I and Species II when considered together. Claims 2-7, 9-15, 17-18, 20-21, 24-28, 30-40, 48-60 and 62-69 each depend, directly or indirectly, from one of independent claims 1, 19, 23, 47, and 61. Thus, since claims 1, 19, 23, 47, and 61 are generic to either of Species I and Species II and to both of Species I and Species II when considered together, Applicants assert both that Species I and Species II can be examined together and that all of claims 1-7, 9-15, 17-21, 23-28, 30-40, and 47-69 can be examined, regardless of whether or not the Examiner accepts Applicants traverse.

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Applicants reserve all rights in the non-elected Species, and the claims which read thereon, to file divisional and/or continuation patent applications. If the Examiner has any questions or comments as to this response, the undersigned may be contacted at the address and telephone number below.

No fees are believed to be due associated with this paper. However, if any fees are due associated with this paper, please charge any such fees to deposit account No. 05-0649.

Respectfully submitted,



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